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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 JOEL M. CRAM, et al.,) Civil No.07cv1842-LAB(NLS)
11)
12 Plaintiffs,) **ORDER GRANTING DEFENDANT'S**
13 v.) **EX PARTE APPLICATION TO**
14 ELECTRONIC DATA SYSTEMS) **CONTINUE EARLY NEUTRAL**
CORPORATION, et al.,) **EVALUATION CONFERENCE;**
15 Defendants.) [Doc. No. 23]
16) **VACATING EARLY NEUTRAL**
) **EVALUATION CONFERENCE**
)

17 An Early Neutral Evaluation Conference ("ENE") is currently scheduled in the above-captioned
18 matter on November 6, 2007. Defendant Electronic Data Systems Corporation has filed an *Ex Parte*
19 Application [Doc. No. 23] requesting that the Court continue the ENE in light of Plaintiff Joel M.
20 Cram's pending motion to remand this case to state court. According to defense counsel, Plaintiff
21 would prefer that the ENE go forward on its scheduled date, however both parties concur that settlement
22 discussions would be ineffectual. (*See Declaration of Margaret Rosenthal in Support of Ex Parte*
23 *Application* ¶ 2.) Plaintiff's motion to remand is set for hearing before presiding District Judge Larry A.
24 Burns on December 3, 2007 [Doc. No. 22].

25 Good cause appearing, the Court finds that court-sponsored settlement discussions will not be
26 productive at this time and accordingly the November 6, 2007 ENE is hereby **VACATED**. In the event
27 that the motion to remand is denied and the case continues to proceed in this court, the ENE shall be
28 reset. If the motion to remand is denied, counsel for the parties are hereby **INSTRUCTED** to contact

1 Judge Stormes' chambers within five (5) business days of the filing of the ruling and advise the Court
2 with respect to both parties' availability so that the ENE can be rescheduled promptly.

3 **IT IS SO ORDERED.**

4 DATED: October 29, 2007

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6 Hon. Nita L. Stormes
7 U.S. Magistrate Judge
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